

**DELEGATION OF AUTHORITY  
CLEAN WATER ACT (CWA)**

Facility Response Plans

1. **AUTHORITY.** Pursuant to section 311(j)(5) of the Clean Water Act as amended by the Oil Pollution Act of 1990 (OPA):
  - a. To approve means to ensure the availability of private personnel and equipment to implement facility response plans for non-transportation-related onshore facilities;
  - b. To review and approve such plans for non-transportation-related onshore facilities under section 4202(b)(4) of OPA; and
  - c. To authorize non-transportation-related onshore facilities to operate without approved response plans for non-transportation-related facilities under section 311(j)(5)(F).
2. **TO WHOM REDELEGATED.**
  - a. The authorities in 1.a. and 1.b. are redelegated through the Director, Superfund and Emergency Management Division, or equivalent, through the Branch Chief, Emergency Management Branch, or equivalent, and through the Section Chiefs, Emergency Response Section and Spill Prevention and Removal Section, or equivalents, to the On-Scene Coordinators.
  - b. The authority in 1.c. is redelegated through the Director, Superfund and Emergency Management Division, or equivalent, through the Branch Chief, Emergency Management Branch, or equivalent, to the Section Chiefs, Emergency Response Section and Spill Prevention and Removal Section, or equivalents.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
  - a. The authorities in 1.a. and 1.b. may be redelegated to on-scene coordinators, or equivalent.
  - b. The authority in 1.c. may be redelegated to the section chief level, or equivalent.
  - c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **SUPERSESSION.** This delegation supersedes R10 2-86 (05/31/2012), R10 2-86(1) (06/01/2012), and any other delegation of the same authority.
6. **ADDITIONAL REFERENCES.** EPA Delegation 2-86.

Date

June 27, 2019

Chris Hladick  
Regional Administrator